

HOUSE BILL REPORT

HB 2359

As Passed Legislature

Title: An act relating to exempting collectible vehicles from emission test requirements.

Brief Description: Exempting collectible vehicles from emission test requirements.

Sponsors: Representatives Kochmar, Fagan, Vick, Hurst, Kirby, Morrell, Orwall, Dahlquist, Tarleton and Freeman.

Brief History:

Committee Activity:

Environment: 1/31/14, 2/5/14 [DP].

Floor Activity:

Passed House: 2/14/14, 96-0.

Passed Senate: 3/7/14, 48-0.

Passed Legislature.

Brief Summary of Bill

- Exempts collectible vehicles from emission test requirements.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: Do pass. Signed by 9 members: Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Harris, Kagi, Nealey, Overstreet and Tharinger.

Staff: Megan Mulvihill (786-7291) and Jacob Lipson (786-7196).

Background:

The Department of Ecology (DOE) designates a region as a noncompliant area if the region exceeds, or will probably exceed, emission and ambient air quality standards in a period of less than one year, and the DOE determines the primary source of air contaminants to be motor vehicle emissions. Noncompliant areas include Seattle, Bellevue, Spokane, Tacoma, Vancouver, and Everett. These noncompliant areas are then used to determine geographical boundaries in which to require vehicle emission testing. These regions are called emission

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contributing areas and include multiple zip codes from the Puget Sound, Vancouver, and Spokane regions.

Emission Test Requirements.

Vehicles five through 25 years old and registered in Washington at a zip code identified as an emission contributing area must pass vehicle emission standards set by the DOE on a biennial basis.

The Department of Licensing is responsible for implementing and enforcing these emission standards by only issuing or renewing motor vehicle registrations which are accompanied by a valid certificate of compliance, valid certificate of acceptance, or is for an exempt vehicle. A certificate of compliance is issued when a vehicle passes emission testing requirements. A certificate of acceptance is issued when:

- a vehicle fails a test and the owner has spent more than \$100 on a 1980 or earlier model or spends more than \$150 dollars on a 1981 or older model for repairs devoted to meeting emission standards by a certified emission specialist; and
- in the case of a failed retest, if the vehicle has been in use for more than five years or 50,000 miles, and if any component of the vehicle installed by the manufacturer for the purpose of reducing emissions is operative.

In 2011 street rod vehicles and custom vehicles were added to the list of motor vehicles exempted under the emission test requirements.

Collectible Vehicle Insurance.

For a vehicle to be eligible for collectible vehicle or classic automobile insurance, the vehicle has to meet certain qualifications depending on the insurance company. Some of the typical requirements are as follows:

- be driven on a limited basis with a mileage ceiling;
- be stored in a secure garage;
- the owner needs to provide proof of a second vehicle;
- must meet an age requirement, usually 15 or 25 years old or older; and
- the vehicle has a stable market value and settled depreciation.

Summary of Bill:

Collectible vehicles are exempted from emission test requirements if the vehicle:

- is of unique and rare design, of limited production, and an object of curiosity;
- is maintained primarily for use in car club activities, exhibitions, parades, or other activities of public interest or private collection, and is used only infrequently for other purposes; and
- has collectible vehicle or classic automobile insurance coverage that restricts its mileage or use, or both, and requires the owner to have another vehicle for personal use.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Classic cars are fairly unusual with limited production. They are of unusual design in terms of both engineering and materials used. They also have very limited impact on the environment because they are driven on a limited basis and there are very few of them. Collectible cars are usually driven only in good weather. Collectible cars are very delicate, and the way they are handled in emission tests includes a process that can be very damaging to the vehicle. Taking these cars into an emission testing facility is an experience because the emission testing people are not aware of the car's delicate condition. The only way the vehicle can be considered a collectible car is if the owner has collectible car insurance which contains certain parameters. This is a real kingpin as the insurance severely limits how the vehicles can be used. An owner can show that they have collectible car insurance, and they will be exempted. There are a number of classic car groups in the Washington area, and these people are very passionate about their cars.

(With concerns) There is no concern with the intent of the bill, but a soft concern that the definition is not tight enough. The definition might create possibility for confusion. The National Highway Transportation Safety Administration has a program where they identify a list of vehicles for import for show to use in the United States that might make it clearer. Also, there is emission testing in five counties.

(Opposed) None.

Persons Testifying: (In support) Representative Kochmar, prime sponsor; and John Tidwell.

(With concerns) Stu Clark, Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.